

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 4057-25

C# M#

Group Art Unit: 1644

Examiner: G.R. Ewoldt

Date: March 14, 2002

Serial No. 09/311,720

Filed: may 14, 1999

Title: GENETIC IMMUNIZATION BY EPICUTANEOUS APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SECOND PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 127 minus highest number
previously paid for 116 (at least 20) = 11 x \$ 18.00 \$ 198.00

Independent claims after amendment 8 minus highest number
previously paid for 7 (at least 3) = 1 x \$ 84.00 \$ 84.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00
☐ Please enter the previously unentered, filed
☐ Submission attached

Subtotal \$ 392.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00
☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: **Copies of U.S. Patents 6,348,450 B1 and 6,087,341** 0.00

TOTAL FEE ENCLOSED \$ 392.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GLENN et al.

Appln. No. 09/311,720

Filed: May 14, 1999

FOR: GENETIC IMMUNIZATION BY EPICUTANEOUS APPLICATION (as amended)



Atty. Ref.: 4057-25

Group Art Unit: 1644

Examiner: G.R. Ewoldt

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**SECOND PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

March 14, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action (Paper No. 17) mailed January 14, 2002, entry and consideration of the following amendments and remarks are respectfully requested.

IN THE TITLE

Kindly replace the present title with the following:

GENETIC IMMUNIZATION BY EPICUTANEOUS APPLICATION

IN THE CLAIMS

Kindly enter the following amended claims.

1. (2 x Amended) A method for transcutaneous immunization comprising:

(a) providing a formulation comprised of at least one antigen and at least one adjuvant, wherein said at least one antigen or said at least one adjuvant is provided as at least one polynucleotide encoding said at least one antigen or said at least one adjuvant;

(b) applying said formulation epicutaneously to skin of an organism without penetrating past dermis of said skin; and

03/19/2002 CV0111 00000035 09311720

01 FC:102
02 FC:103
03 FC:115

84.00 OP
198.00 OP
110.00 OP

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